

### REMARKS

Claims 1 to 16, 18, 19, 21 and 22 are pending in this application. Claims 1 and 21 are amended.

#### The Rejection under Prior Art

Claims 1-20 are rejected under 35 U.S.C. §102(e) as being anticipated by Nishioka et al. European reference EP 1,314,681. Claims 1 and 21 are amended herein to more explicitly set forth the distinctions between Applicant's invention and the disclosure of Nishioka et al.

The Nishioka et al. reference is directed to a method for operating a crane by moving the cargo along an arc shaped curve connecting an initial position and a target position. The arc shaped curve does not pass through a minimum turning circle which defines a range in which handling operation for the cargo is not possible because of mechanical restriction of the crane. However, the arc shaped curve contacts the minimum turning circle at one point. See, e.g., Fig. 3 of Nishioka et al.


However, Nishioka et al. mention nothing about a track control system (31), including a control system (41) for optimized movement and guidance of the load, the control system (41) comprising an optimized control function based on an optimization of control parameters for providing an optimal control trajectory, wherein said control function dynamically calculates time functions for control voltages for moving the load with minimized oscillation amplitudes, and wherein said control parameters include: a plurality of set points as input values for describing a pre-determined position and orientation of the load at one or more load positions

along said calculated trajectory from an initial starting point to an end point, and feedback from at least one status variable, as recited in claim 1. Accordingly, it is respectfully submitted that the claims are allowable over the Nishioka et al. reference. Reconsideration and withdrawal of the rejection are respectfully requested.

### CONCLUSION

For at least the reasons stated above all of the pending claims are submitted to be in condition for allowance, the same being respectfully requested.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Adrian T. Calderone", written in a cursive style.

Adrian T. Calderone  
Reg. No. 31,746  
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
Tel: (516) 228-8484  
Fax: (516) 228-8516